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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/943,238 10/03/97 HIROKI

M 0756-1724

EXAMINER

MM91/0425

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2010 CORPORATE RIDGE
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ART UNIT

PAPER NUMBER

2814

DATE MAILED:

04/25/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/943,238

Applicant(s)

Masaaki, Hiroki

Examiner

S.H. Rao

Group Art Unit
2814



☒ Responsive to communication(s) filed on Jan 15, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☐ Claim(s) _____ is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2814.

DETAILED ACTION

The amendment filed February 15, 2000 has been fully considered.

1. The timely submission under 37 CFR 1.129(a) filed on February 15, 2000 is not fully responsive to the prior Office action because the Office Action Mailed August 31, 1999, (paper no.8) requested a substitute specification. Applicants in the response filed February 15, 2000 state that a substitute specification is being filed. Applicants' have known about the requirement of a substitute specification from at least September 1999. As applicants' state upon filing the substituted specification Applicants' response to the outstanding action will be complete.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Conclusion

Art Unit: 2814.

2. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Steven H. Rao whose telephone number is (703) 306-5945. The fax number is (703) 308-7722 or -7724. The Examiner can be normally reached on Monday-Friday from 9.30 a.m. to 6.00 p.m. (EST).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor Ex. Olik Chaudhuri, can be reached at (703) 306-2794.

3. Papers related to this application may be submitted directly to Art Unit 2814 by facsimile transmission at the above mentioned fax numbers.

4. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology center 2800 receptionist at (703) 308-0956.



April 12 , 2000.


Olik Chaudhuri
Supervisory Patent Examiner
Technology Center 2800